

Steven Moser

From: Steven Moser
Sent: Wednesday, June 11, 2025 4:57 PM
To: 'Michael Giampilis'; Shirley Navarro-Losito
Subject: RE: Cruz v DeMarco Brothers
Attachments: Passelis Excerpt.pdf

Mike

Here is the excerpt. He also testified that he had a bunch of records concerning the hiring of the plaintiffs.



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From: Steven Moser

Sent: Wednesday, June 11, 2025 4:47 PM

To: Michael Giampilis <mgiampilis@giampilislaw.com>; Shirley Navarro-Losito <shirleylosito@moserlawfirm.com>

Subject: RE: Cruz v DeMarco Brothers

Michael

The transcript of your client came back. He clearly states that he has payroll sheets for all years that my clients worked. I'll send you the transcript. We need those records before the Plaintiffs testify.

Steve



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(1) Passelis

(2) this case.

(3) **A This is my handwriting, yes.**

(4) **MR. GIAMPILIS: He didn't ask**
(5) **anything yet.**

(6) **Q** So this payroll sheet, was this
(7) a form that was created by someone?

(8) **A Yes.**

(9) **Q** Who created the form?

(10) **A Me.**

(11) **Q** How did you create it?

(12) **A Excel.**

(13) **Q** And then how did you create the
(14) Excel sheet, where did you get the
(15) information for the Excel?

(16) **A Oh, I saw it on a YouTube, so I**
(17) **copied a similar thing from YouTube.**

(18) **Q** Now, we have here, Plaintiffs'
(19) Exhibit 1 are payroll sheets for the first
(20) half of 2018; is that fair to say?

(21) **A Yes.**

(22) **Q** Plaintiffs' Exhibit 2 are the
(23) payroll sheets for the second half of 2018;
(24) is that fair to say?

(25) **A Yes, it is. The first half and**

(1) **Passelis**
(2) **second half year, 2018 (indicating).**

(3) **MR. GIAMPILIS: It's the**
(4) **opposite.**

(5) **A It's the opposite, I'm sorry.**
(6) **This one is July and this one is December.**
(7) **I'm sorry about that (indicating).**

(8) **Q So Plaintiffs' Exhibit 2 is the**
(9) **first half of 2018?**

(10) **A That's what it seems like, yes.**

(11) **Q And Plaintiffs' Exhibit 1 is the**
(12) **second half of 2018?**

(13) **A That seems like it, yes.**

(14) **Q Let's turn to Exhibit 3, is this**
(15) **the payroll for the second half of 2019?**

(16) **A That is correct, yes.**

(17) **Q And if we turn to Plaintiffs'**
(18) **Exhibit 4, is that the payroll for the first**
(19) **half of 2019?**

(20) **A That's correct.**

(21) **Q Did you create these payroll**
(22) **sheets for every year that employees worked**
(23) **for DeMarco from 2017 until the present?**

(24) **A I created them, yes.**

(25) **Q Are there payroll sheets for any**

(1) Passelis

(2) of the four plaintiffs in this case for
(3) 2017?

(4) A I'm sure there are.

(5) Q Where are they?

(6) A Where are they? Did you ask for
(7) that?

(8) Q Yes.

(9) A You did ask for that?

(10) Q Yes.

(11) A Are you going back more than
(12) seven years?

(13) MR. GIAMPILIS: You can't ask
(14) him questions. He just asked you are
(15) there any other time sheets.

(16) THE WITNESS: Yes, there are
(17) other time sheets, yes.

(18) Q If we look at -- do you know
(19) where those other time sheets are kept?

(20) A I'm sure I can find them, yes.

(21) Q I want to draw your attention to
(22) the time period after 2020, are there any
(23) payroll sheets pertaining to any of the four
(24) plaintiffs after 2019?

(25) A Yes.

(1) **Passelis**

(2) **Q And where are those payroll**
(3) **sheets?**

(4) **A I'm assuming you have them.**

(5) **Q No, I don't.**

(6) **A You don't have them? Okay. I**
(7) **have them.**

(8) **Q I'm going to show you once again**
(9) **what has been marked as Plaintiffs' Exhibit**
(10) **2 for identification. Do you see the names**
(11) **of any of the four plaintiffs on that first**
(12) **page?**

(13) **A Yes. I see Oscar Cruz Mejia.**

(14) **Q Is on the second line?**

(15) **A Yes.**

(16) **Q Besides Oscar Cruz Mejia, do you**
(17) **see the names of any other of the four**
(18) **plaintiffs on this sheet?**

(19) **A Well, we had a couple of Carlos,**
(20) **I'm not sure if this is him, but I'm not**
(21) **sure about this one, but this is definite, I**
(22) **know that it's him.**

(23) **Q So we know that Oscar Cruz Mejia**
(24) **is one of the plaintiffs?**

(25) **A A hundred percent.**